



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,670	03/16/2004	Paul Vincent	Q80358	3012
23373 7590 08/16/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER NALVEN, ANDREW L	
			ART UNIT 2134	PAPER NUMBER
			MAIL DATE 08/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/800,670

Applicant(s)

VINCENT ET AL.

Examiner

Andrew L. Nalven

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 6-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7/27/2007.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-12 are pending. Claims 6-12 are withdrawn from consideration.

Response to Arguments

2. Applicant's arguments filed 27 July 2007 have been fully considered but they are not persuasive.

3. Applicant argues on pages 4-5 that Little and Gupta fail to teach an electronic stamp as defined in claim 1. Applicant alleges that an electronic stamp cannot be a digital signature in view of the specification. Examiner respectfully disagrees. Given its broadest reasonable interpretation a digital signature may be an electronic stamp. Claim 1 provides the limitation "an electronic stamp whose validity is verified." This is exactly what a digital signature is used for. A digital signature is stamped on a message to prove authenticity. A receiver verifies the digital signature. Hence, Examiner maintains that an electronic stamp may be interpreted as a digital signature. Examiner suggests an amendment to the claims to more adequately reflect what Applicant intends the electronic stamp to be interpreted as.

4. Applicant further argues on page 5 that Little and Gupta fail to teach a value associated with said stamping field of said header is an encrypted numerical value. Examiner respectfully disagrees. Little teaches the value associated with said stamping field in said header is an encrypted numerical value (Little, Figure 2. Item 44, paragraph

Art Unit: 2134

0028, signature appended to message, paragraph 0025, signature is an encryption of a hash). A digital signature is an encrypted numerical value. In a digital signing operation a numerical value, typically a hash, is encrypted.

5. Applicant further argues on page 5 that Little and Gupta fail to teach the value associated with said stamping field in said header is a binary value indicating the presence of said electronic stamp in said message body. Examiner respectfully disagrees. Little teaches the value associated with said stamping field in said header is a binary value indicating the presence of said electronic stamp in said message body (Gupta, column 5 lines 55-65, alert option format, Little, paragraph 0028, signature appended to message). As noted above, an electronic stamp may be interpreted as a digital signature and thus the alert option format can indicate an electronic stamp in the form of a digital signature.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-5 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Little et al US PGPub 2003/0172122 in view of Gupta et al US Patent No. 6,389,532.

7. **With regards to claim 1**, Little teaches multimedia messaging (Little, paragraphs 0021, voice or data, paragraph 0013, electronic mail messaging with MIME), but fails to teach a multimedia message service center validating an electronic stamp. However, Gupta teaches a message service center (Gupta, column 6 lines 57-67, firewall or router) wherein a sent messaging service message includes an electronic stamp whose validity is verified by said multimedia message service center (Gupta, column 7 lines 1-27, signature is validating). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Gupta's method of validation because it offers the advantage of reducing network bottlenecks by discarding packets that are invalid in view of their signatures or lack thereof (Gupta, column 1 lines 25-55).

8. **With regards to claim 2**, Little as modified teaches a header containing parameters relating to the transportation and the content of said message (Gupta, column 5 lines 46-54, IP header) and a body containing elements of said message (Gupta, column 5 lines 30-32, data) and one parameter in said header is a field corresponding to the stamping of the message (Gupta, column 5 lines 55-65, alert option format).

9. **With regards to claim 3**, Little as modified teaches the value associated with said stamping field in said header is an encrypted numerical value (Little, Figure 2 Item 44, paragraph 0028, signature appended to message, paragraph 0025, signature is an encryption of a hash).

Art Unit: 2134

10. **With regards to claim 4**, Little as modified teaches the value associated with said stamping field in said header is a binary value indicating the presence of said electronic stamp in said message body (Gupta, column 5 lines 55-65, alert option format, Little, paragraph 0028, signature appended to message).

11. **With regards to claim 5**, Little as modified teaches a body part of said message body contains said electronic stamp in the form of an encrypted numerical value (Little, Figure 2 Item 44, paragraph 0028, signature appended to message, paragraph 0025, signature is an encryption of a hash).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Art Unit: 2134

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571.272 3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Nalven



KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER